G R S IX 5]

Previous references

File No 50-15

1917.

(Municipal)

Serial Nos 15-28-31 32 33 and 34

Later references

Preserve
28
7/2/17

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 15-28-31-32 33 and 34

Part B for Feb 17

SUBJECT

Sanction for draft bye laws framed by the Shimoga town munc Council under Sec 48 (1) (n) of the munc regulation relating to conservancy and Sanitation

To

The Deputy Commr & President of the Shimoga Tn Mc C

G O no 5606 dt 27-2-17

Sanctions the draft bye-laws referred to above

W D 88—GPB—50 000—24 † 18

HDM
1/3/17

G R S 11] 1915-16

GENERAL AND REVENUE SECRETARIAT

(Rural)

NOTES

File No 50-15

FILE HEADING

Rules and bye-laws framed by the Rural Councils in the Shimoga District

From

The President, Shimoga Town Rural Council.

No 270 Dated 12-2-16 Received 20-2-16

Diary No 3087 Enclos 2 Spare Copies Serial No 15

BRIEF ABSTRACT OF LETTER

Submits for sanction draft bye-laws framed by the Shimoga Town Rural Council under Section 48 (1) (x) of the Rural Regulation relating to Conservancy and Sanitation

NOTES AND ORDERS

A

The draft bye-laws seem to have been framed after the model of the similar bye-laws sanctioned for the Davangere Taluq with certain alterations suitable to the locality

2 The

NOTES—First Sheet

3290

G R S 12]

General and Revenue Secretariat | Rul File No. 50 of 1915

Serial No

2. The bye-laws framed by the Davangere Municipal Council similar to the draft bye-laws No. 7 now in question relating to the feeding of milch kine and cattle on stable refuse to was ordered to be omitted as being unauthorized under the Municipal Regulations. So the bye-law No 7 may be omitted.

A
No 4397/Rul 69-14-43
& 3-12-14

3 The draft bye-laws exc[illegible] 107 seems to be unobjectionable

4. draft sanctioning the bye-laws with the above modifications is submitted for approval or other orders

L. III

3/12 MWS 1893
10 3 16

5 Please note whether each of the bylaws is covered by some one or other of the enabling powers in the Municipal Act Revise the headings suitably

Bro
1893

6 Submitted

Bye-laws No 1 is covered by Sec 124 of the Municipal Act

Do - No 2 - do - 128 - do

Do - No 3 - do - by the penal provisions under Sec 127 Mpg

sheet

3290

G R S 12]

General and Revenue Secretariat | Genl File No. [redacted] of 1915.

Serial No

Bye-law No. 4 is covered by Sec 127(1) of the Act

" 5 — do. — do

" 6 — do. Sec 48(b) — do

" 7 is ultra vires

" 8 is covered by Sec 48(b) of the Act.

7. The marginal heading of each bye-law is noted in the draft bye-laws submitted for orders.

J Mr 1321-15

Rejected for reasons given

23 3 16

27 3 16 Mr (D)

Accepted

8/3

9) Subd

Bye-law 2 merely states that the Municipality have the power to prohibit discharge of sewage &c into surface drains. This power is contained in sec 128 of the Act and there is no necessity to make mention of it again in the bye-law

Right to

Bye-law No 3 is also already provided for in secs 127 and 128 and should therefore be omitted

Right to amend bye-laws also retained by

In bye-law 4 merely the commission of the

Contn sheet

from 1321

3290

4

G R S 12]

General and Revenue Secretariat. | Mul File No 50 of 1918

Serial No

nuisance referred may be prohibited leaving out the penal portion as the penalty for disobedience is contained in sec. 127 (1) of the Regn.

Similarly in case of bye-laws 5 ~~and 6~~ Bye-law 6 as altered.

Mulshedaun may be amended vide 68 A

Bye-law 7 as printed by Br. II is ultra vires and should be omitted

Bye-law 8, the provision about the prohibition of the use of Lantana &c as a hedge is ultra vires

This bye-law requires complete alteration and cannot stand as it is vide 68

Bye-law 9 provides a penalty for infringment of bye-law 8 and therefore may be made into a second part of that same bye-law instead of having numbered as a separate bye-law

2/5/16

to The bye-laws require complete modification for reasons noted above The attention of the ~~Dist~~ Collector may be drawn to these points & the necessary changes may be made in accordance with precedent.

Br II)

11 Sch? with revised bye laws in accordance with the views of Br III, for approval

(230)

Cont sheet

2084

G R S 12]

General and Revenue Secretariat.

Municipal File No. 50 of 1915

Serial No.	
	12 Pub wks Dept. Comm[rs] Nairobi forwards for Sanction the revised by-laws copy of which may be submitted for sanction KP 22/8/16
L W, 342	13 Draft submitted KC (30) 30/8/16 14 Issued KP 4/9-16 DC 7/9
28	15 To Provl, Shimoga Dr m[l] cl no 1786 & 7.9.16 Returns the bye-laws for revision & remarks.
31	16 From The Same Spec no 275 & 25.12.16 Submits for sanction the revised by laws as approved by the m[l] cl 17 The original draft by laws called for in para 2 of this office letter of 7.9.16 m/s cl 28, which is necessary for reference has not been submitted 18 Besides only one copy of the revised by-laws has been received unless for duplicate. 19 Draft calling for the above & do KC (30) 2.1.17 20. Issued KP 4/1-17
32	21 DC To the Provl, Shimoga Dr m[l] cl no 4259 & 8.1.17 Requests him to submit the original draft returned with cl 31 as also a duplicate copy of the revised by-laws

Note—Contn sheet.

6

/D 1233—GPB—60 000—1 12-16—S.

G R S III 2]

General and Revenue Secretariat | ML File No 50 of 1915 | 2190

Serial No 33

22 From the President, Shimoga Dn. M.L.C. No 320 dy 9/1/17 Returns the draft bye laws called for together with the duplicate of the revised bye laws

23 The revised bye-laws rec'd with U.S.1 above are in accordance with the views suggested in Sl 28 except- the retention of the penal clause relating to Bye-law 5 as a separate para thereof

deem not necessary.

24 draft sanctioning the revised bye laws with the above Reservation submitted for approval

L. III

14 (30) 17 2 17

19/2 Second Member 22/2-17

150 22 2 17

25 Issue

24/2/17 26/2-17

34 26 To the Presidt Shimoga the M.L.C. No 5606 dy 27-2-17 sanctioning the revised bye laws recently in addition copies thereof for record & reference.

NOTE—Contn sheet

D 3290

Rul 50-15-15

7

The original
See Rul 50-15
Sl 13.

Letter No. 270 dated the 12th Feby 1916 from the President, Shimoga to the Secy to Govt Revenue Department.

Sir,

I have the honor to state that the draft bye-laws relating to sanitation and ~~regulating buildings and~~ conservancy ~~structures~~ under Section 48 (1) (k) of the Mysore Rural Regulation VII of 1906 passed by the Rural Council at its meeting held on the 2nd October 1915 were only published locally and also in the Mysore Gazette

As no objections or suggestions had been received in writing as mentioned in para 2 of the notice, the subject was placed before the Rural Council at their meeting held on the 31st Jany 16 when the Council resolved that the bye-laws might be submitted to Govt for confirmation.

I have the honor therefore to request that sanction of Govt may kindly be accorded to bring these bye-laws into force in the town of Shimoga with effect from 1st March 1916

A copy of the draft bye-laws is enclosed.

Cuttack Vol 50-15-15 8

Shimoga town municipality

Notice dated 10th November 1915

The Rural Council, Shimoga, having at their meeting held on 2nd October 1915, passed the following bye-laws regarding sanitation and conservancy under section 48 (1) (x) of the Mysore Rural Regulation, VII of 1906, the same are hereby published for the information of the public

Objections or suggestions in respect thereof, if received in writing before 15th December 1915 at the Rural Vice Presidents' Hall, Shimoga, will be considered by the Rural Council at their meeting in December 1915

Places for deposit of rubbish

1 No rubbish mentioned in section 127 of the Rural regulation shall be deposited except in Rural depots [illegible]

Prohibition of Permission to be obtained for discharge of sullage into road-side gutters prohibited

2 The Rural Council shall have power to prohibit the discharge of sullage into the road side gutters

Penalty for infringement of bye-laws

3 Any person who shall be guilty of a breach of any of the above bye-laws shall on conviction, be liable to a fine not exceeding Rs 20

Easing outside latrines

4. Latrines:— Any person easing himself either in the vicinity of or outside or on any

for the purpose, shall be liable, on conviction before any magistrate, to a penalty not exceeding half a rupee for the first and one rupee for the second and two rupees for each succeeding offence.

5. Any person (of one sex) who shall wilfully intrude into any public latrine set apart for the use of the opposite sex shall be liable on conviction before any magistrate to a penalty of Re 0/- for the first and Re 0 to rupees for the second and each succeeding offence.

intrusion into latrines for the opposite sex

6. Persons afflicted with loathsome or infectious disease are prohibited from vending or exposing for sale any articles of food either in the markets or bazaars of the town under a penalty on conviction before a magistrate, to a fine not exceeding one rupee for each offence.

diseased not to sell in town or bazaars

7. Prohibiting milch Kine and slaughter cattle being fed on stable litter &c — The practice of feeding milch kine and cattle intended for slaughter on stable litter and other manure is strictly prohibited and any person residing within rural limits who may transgress this rule will, on conviction before a magistrate, subject himself to a fine of Rs 0/- for the first and Rs 00 for each succeeding offence

Feeding of milch kine &c on stable litter prohibited.

8 All persons holding houses and lands within the rural limits are required to keep all drains and water channels in their premises free from

owners to drains & water channels to be kept

from obstruction and to discontinue as a hedge, the use of lantana, prickly-pear and aloe and to destroy these latter where at present existing

8. All persons, who, after due notice from the Vice President, has been given, fail to comply with the provisions of this bye-law shall, on conviction before a magistrate, subject themselves to a penalty not exceding Rs 20-

Penalty for infringement

Copy
Hon

(+ R S 26]

Diary No of letter replied to 3290

General and Revenue Secretariat
(Local)
, the 191 .

Date of issue 8 9 16

Signed by Mr. P. Subba Rao

Mul File No 50-15
Serial No 28

Genl
No. 1786
Mul 50-15-28
8/9/16

To

The President, Shimoga Taluk Board

Sir,

In returning herewith the draft-bye laws regulating sanitation & conservancy framed by the Shimoga Municipal Council & received with your letter No. 270 of 12-2-1916, I am directed to request you to resubmit the same duly revised by the municipal Council in the light of the following observations —

Bye law 2 (a) The power of the municipal Council to prohibit-di-

over

SUBJECT

discharge of sewage into the surface drains is contained in section 128 of the Rural Regulations. There is no necessity to mention it again in the by-laws now

By Law 3. This also may be omitted as it is already provided for in sec 127 & 128 & as it is herein after dealt with in by-laws 4 & 5. The penal portion of these by-laws may be omitted as the penalty for disobedience is contained in section 127 (1) of the Regs.

By law 6. The last clause may be omitted.

By law 7. The by-laws is ultra vires & should be omitted.

By law 8. This by-law requires the provisions about the complete destruction & the prohibition of the use of lantana, is a hedge is ultra vires

By law 9 As the penalties & penalty for infringement of By Law 8, the same may be made into a second para

List of enclosures

Copied by

Examined by

GPH—2000—10-10 16

G R S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form.)

1/11

that by-law (No 8) instead of being numbered as a schedule by-law.

2. The present draft by-law may be returned with the by-law, ~~in duplicate~~.

I have, &c.

R.B.

The Hon. Secy., Rev Bd

GEN. V ARIAT
L FUND
2 8DEC 1916

12

No. 275 D 2004 Office of the President,
Shimoga Town Municipality,
Dated 25th December 1916.

Ml. (50-15)+31

From

A. Subramanya Iyer, Esquire, B.A.,
President, Shimoga Town Municipality.

To

B. Ramaswamaiya, Esquire, B.A., B.L.,
Secretary to the Government of His Highness the
Maharaja of Mysore, Revenue Department,
Bangalore.

Sir,

With reference to your letter No 1786 Ml 50-15-28 dated 7th September 1916 returning for revision and resubmission the draft bye-laws for regulating sanitation and Conservancy in Shimoga framed under section 48 (1) (n) of the Mysore Municipal Regulation VII of 1906, I have the honor to state that the bye-laws were further considered by the Council in their meeting on 28th October 1916 and referred to a sub Committee The draft bye-laws were revised by the Sub Committee in the light of the observations made by Government and placed before the Municipal Council at their meeting on 25th November 1916. The bye-laws as now approved by the Council are submitted herewith for favour of sanction by Government

The copies of resolutions bearing on the subject are enclosed herewith.

I have the honor to be,
Sir,
Your most obedient servant,

Venkatasamaya

For President,
Shimoga Town Municipality

K.S.

1916. DEC 19

From

The President,

Shimoga Town Municipality

To

The Secretary to Government,

Revenue Department,

Bangalore.

Dated

Despatched 25th December 1916.

Received

General No 275
No

Enclosure No Three only.

Re-Submits the revised bye-laws for regulating Sanitation and Conservancy in Shimoga framed under section 48 (1)(m) of the Mysore Municipal Regulation VII of 1906 for sanction.

1/3

SHIMOGA TOWN MUNICIPALITY.

Draft bye-laws framed under section 48(1)(n) of the Mysore Municipal Regulation VII of 1906 by the Sub Committee appointed by the Shimoga Town Municipal Council in their resolution No.X dated 25th October 1916.

1. No rubbish mentioned in section 128 of the Municipal Regulation shall be deposited except in dust bins to be fixed by the Municipality.

Broken pots and tiles, thatch and paddy husk shall not be deposited in dust bins or thrown about in the vicinity of houses.

2. Latrines:- No person shall ease himself either in the vicinity of or outside or in any part of any public latrine other than in the place intended for the purpose.

3. No person of one sex shall wilfully intrude into any public latrine set apart for the use of the opposite sex.

4. Persons afflicted with loathsome or infectious disease are prohibited from vending or exposing for sale any articles of food either in the markets or bazzars of the Town.

5. All persons owning or occupying houses or lands within the Municipal limits are required to keep the drains and water channels in their premises free from obstruction, and prevent stagnation. (A breach of this section shall on conviction before a Magistrate render either of them liable to a fine not exceeding Rs 20/-.)

Sd/- T. Venkataramaiah.
President, Town Municipality
Shimoga.

" Copy "

For President, Town Municipality,
Shimoga.

GEN & REVY SECRETARIAT
GEN TYPING SCO.
5 JAN

G R S 26]

14

File No. 50-15

Serial No. 32

Diary No of letter replied to 2.01/4

No. 4259

General and Revenue Secretariat
(Mam.l)
, the 191

To mL50-15-32 9817
The President, Shimoga Town Mun.l Cl.

Sir,

Adverting to your letter no 2753 25 12 16 on the subject of revised bye laws for regulating Sanitation & Conservancy in the Shimoga Town, I am directed to request you to the Mun.l Council to submit the revised draft bye laws received with the above letter no 1756 mL50-15-28 & 7 9 16 in accordance with para 2 thereof

2 A duplicate Copy of the revised bye laws also now received may be sent along with the draft bye laws req.d to

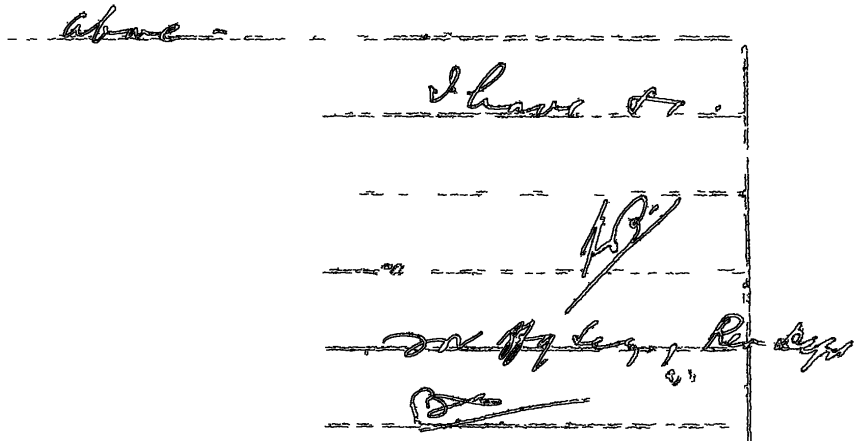
P.T.O. over

Date of issue 8.1.17

Signed by M.B. Sadasivaiah

SUBJECT.

8/1/17



List of enclosures

Copied by

Examined by

GPO—69,000—10-10-51

D 2290

118

No. 320/1916 Office of the President, Town Municipality,

Mc 50-15-33 Shimoga.

Dated Shimoga the 19th January 1917.

From

A. Subramanya Iyer, Esquire., B.A.,
President, Town Municipality,
Shimoga.

To

B.Ramaswamiah, Esquire., B.A.,B.L.,
Offg. Secretary to the Government of Mysore,
Revenue Department, Bangalore.

Sir,

Adverting to your letter No. 4259/M1.50-15-32 dated 8th instant calling for the return of the draft bye-laws for regulating Sanitation and Conservancy in the Shimoga Town, I have the honour to submit herewith the original draft bye-laws forwarded with your letter No.1786/M1. 50-15-8 dated 7th September 1916.

2. A duplicate copy of the revised bye-laws is also enclosed as desired therein.

I have the honour to be,
Sir,
Your most obedient servant,

For President, Town Municipality,
Shimoga.

SHR.

Dis—10,000—17-1-17.

1916-17ನೇ ಸಾ

From 24

The President, Town Municipality

Shimoga.

To

The Secretary to the Government

of Mysore, Revenue Department

Dated Bangalore.

Despatched 19th January 1917.

Received 20

General No 320.
No.

Enclosure No. 1 ಪ್ರತಿ

Returns the draft bye-laws re sanitation and Conservancy in the Shimoga Town.

&&&&&&&

(ಪ್ರತಿ)

~~Ecclesiastical~~ 1/16

Proceedings of the 5th General meeting of the Shimoga Town Municipal Council held in the Chamarajendra Memorial Hall, Shimoga on Saturday the 25th November 1916

X	X	X	X
X	X	X	X

III. Consideration of the bye-laws relating to sanitation and Conservancy as now revised by the Sub Committee appointed as per resolution No 12 dated 28th October 1916 (asked for in Revenue Secretary's no 1786 M1 50-15-28 dated 7th September 1916)

Resolved that the revised bye-laws be passed and submitted to Government for sanction

X	X	X	X
X	X	X	X

(Signed) A Subramanya Iyer,
P R E S I D E N T&

" E X T R A C T "

Venkatramanayya

For President,

K.S. Shimoga Town Municipality

Encl to Ml 61-16-9 17

Proceedings of the 4th General meeting of the Shimoga Town Municipal Council held in the Chamarajendra Memorial Hall, Shimoga on Saturday the 28 October 1916 at 8 A M.

X X X X

X X X X

XII Revenue Secretary's no 1786 Ml 50-15-28 dated 7th September 1916 returning bye-laws relating to sanitation and Conservancy for revision and resubmission

Referred to the Sub- Committee named in Resolution (10).

X X X X

X X X X

(Signed) A Subramanya Iyer,
President

" Extract "

A Subramanya Iyer

For President,

K.S. Shimoga Town Municipality

GRS 28] GEN & REV SECRETARIAT TYPING SEC 24 FEB 1917

18

File No 50-15

Serial No

Diary No of letter replied to 2 [illegible]

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT
(Mun C)

, the 191

READ—

Letter no 328 of 19 1 17 from the President, Shimoga Town Council submitting for sanction the by laws for the regulation of Sanitation & Conservancy in the Shimoga Town, as revised by the Municipal Council in accordance with the views expressed in this office letter no 178 / Mul 1 - 28 dt 97 9 16 (PT one)

Date of issue 28 2 17

Signed by M B Subba Rau

ORDER THEREON—No

May this be

i printed?

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the Press?

vi published in the Gazette Kannada part?

SUBJECT

GPB—50 000—1 12-12

Ord as 560 bml 50-15-34 Dj 27.2.17

Re revised bye laws see Sanctioned.

~~With the observation that the second~~ ~~sentence~~
of bye-laws 5 ~~Chapter~~ (~~Criminal~~ clause)
should be a sub-para thereof as suggested
~~in the Note Book by Chairman~~

2 ~~Re revised bye laws~~ as
~~may be~~ printed & a dozen Copies of the
same sent to the Mess for reference

Dy 28/2/17

~~Dy Secy~~, Rev Dept

Be

To

The Deputy Com^r & Pres^d of the Municipality &c &c &c
with the revised bye-laws.